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Attorneys for Defendant  
CHARLES W. McCALL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES W. McCALL and JAY M.  
LAPINE,

Defendants.

Case No.: CR-00-0505-MJJ

**STIPULATION & [PROPOSED]  
ORDER RE: MAY 17, 2007  
HEARING**

The Honorable Martin J. Jenkins  
Date: May 17, 2007  
Time: 2:00 p.m.  
Courtroom 11, Nineteenth Floor  
Trial Date: September 10, 2007

1 The United States and defendants Charles W. McCall and Jay M. Lapine, through  
2 their respective counsel, stipulate and agree as follows:

3 **RECITALS**

4 1. On February 2, 2007, Messrs. McCall and Lapine (collectively, "Defendants")  
5 timely filed Motions for Judgments of Acquittal (the "Motions"). On March 8, 2007, the  
6 United States opposed the Motions. On April 6, 2007, Defendants filed reply briefs in  
7 further support of the Motions.

8 2. On March 22, 2007, the Court scheduled argument on the Motions for April  
9 19, 2007.

10 3. In order to accommodate the Court's schedule, and that of counsel to all  
11 parties, oral argument has been rescheduled for May 17, 2007 at 2:00 p.m.

12 4. With the Court's permission, the appearances of Defendants may be waived  
13 for the May 17, 2007 oral argument on the Motions.

14 **STIPULATION**

15 Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED that the  
16 Motions will be heard on May 17, 2007 at 2:00 p.m.; and, with the Court's permission, the  
17 appearances of Defendants may be waived for the May 17, 2007 oral argument on the  
18 Motions.

19 IT IS SO STIPULATED AND AGREED.  
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1 DATED: May 8, 2007

Respectfully submitted,

2  
3 PAUL, WEISS, RIFKIND, WHARTON, &  
4 GARRISON LLP

5 By /s/ Theodore V. Wells, Jr.

6 Theodore V. Wells, Jr.

7 -and-

8 HELLER EHRMAN LLP

9 By /s/ Michael J. Shepard

10 Michael J. Shepard

11 Attorneys for Defendant  
12 CHARLES W. McCALL

13 DATED: May 8, 2007

UNITED STATES OF AMERICA

14 By /s/ Timothy P. Crudo

15 Timothy P. Crudo  
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22 Attorneys for the United States

23 DATED: May 8, 2007

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24 By /s/ Marcus S. Topel

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Attorneys for Defendant  
JAY M. LAPINE

Pursuant to the foregoing stipulation, IT IS SO ORDERED.

DATED: May 9, 2007



United States District Judge